

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – Agriculture Department - Sri R.Sada Siva Rao, Agriculture Officer, MSTL., Kadapa district - Disciplinary action initiated u/r 22 of A.P.C.S. (CC&A) Rules, 1991 – Penalty of three Annual Grade Increments without cumulative effect imposed by the Commissioner & Director of Agriculture, Hyderabad – Appeal petition filed – Appeal petition partly Allowed – Orders - Issued.

AGRICULTURE AND COOPERATION (VIG.I) DEPARTMENT

G.O.Rt.No. 1353

Dated: 06-11-2009.

Read the following:-

1. Charge Memo. No.Vig.IV(3)216/07, dated 8-6-2007 of the C&DA, Hyd.
2. From Sri R.Sadasiva Rao, A.O., (MSTL), Kadapa explanation dated 18-7-2008.
3. Pro. Rc.No. Vig.IV(3)216/07, dated 7-1-2009 of the C&DA, Hyderabad.
4. From Sri R.Sada Siva Rao, AO, MSTL, Kadapa appeal petition dated 15-7-2009.
5. From the C&DA, Hyderabad Lr.No.Vig.IV(3)180/09, dated 10-9-2009.

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ORDER:

The Commissioner & Director of Agriculture, Hyderabad, has initiated a disciplinary action vide reference 1st read above against Sri R.Sada Siva Rao, Agriculture Officer, MSTL., Kadapa district for bringing political pressure on Commissioner & Director of Agriculture, Hyderabad for posting as Technical Asst in the office of the Joint Director of Agriculture, Kurnool in violation of Rule – 3 of A.P.C.S (Conduct) Rules, 1964. The following article of charge was framed under rule 22 of A.P.C.S. (CC&A) Rules, 1991 against him:

Articles of charge: “that Sri R.Sada Siva Rao, A.O., MSTL., Kadapa district, who has been posted as A.O., O/o. The ADA (MSTL), Kadapa, has deliberately avoided to join as A.O. (MSTL) Kadapa, and thus not obeyed the orders of the C&DA, Hyderabad. It shows his disobedience against the higher authorities. Thus, the action of Sri R.Sada Siva Rao, A.O., MSTL., Kadapa district, is in violation of Rule-3 of APCS (Conduct) Rules, 1964 and liable to be punished suitably.”

2. The appellant submitted his written statement of defence and stated that he has received re-posting orders to Kadapa, but due to personal problems arised in his family there was delay in reporting at new station and he has obliged the orders of the Commissioner & Director of Agriculture, Hyderabad and joined at new station at Kadapa after overcoming his family problems, and he never disobeyed orders of the higher authority and requested to drop the charges framed against him.

3. After examining the entire case, the disciplinary authority ie., the Commissioner & Director of Agriculture, Hyderabad, in the reference 3rd read above, had imposed the penalty of stoppage of three (3) increments without cumulative effect against Sri R.Sada Siva Rao, Agriculture Officer, MSTL., Kadapa district u/r 9 (iv) of A.P.C.S. (CC&A) Rules, 1991.

4. Aggrieved by the above orders, in the reference 4th read above, Sri R.Sada Siva Rao, Agriculture Officer, MSTL., Kadapa district has filed an appeal petition before the Government. In his appeal petition he stated that he never approached the Hon'ble Minister for Marketing for posting him in Kurnool, as a well wisher the Hon'ble Minister might have represented the Commissioner & Director of Agriculture, Hyderabad for posting at Kurnool having the knowledge of his domestic problems. He could not join immediately in Kadapa due to domestic and family problems and he has not disobeyed the orders of Commissioner & Director of Agriculture, Hyderabad. In spite of explaining the above circumstances under which he could not join duty as MSTL, Kadapa immediately, the Commissioner & Director of

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Agriculture, Hyderabad, has taken a serious view about the case, which is very minor one, and imposed a harsh punishment of stoppage of 3 increments without cumulative effect. He has left with one year service and requested to set aside the orders passed by the Commissioner & Director of Agriculture, Hyderabad.

5. Government after careful examination of the appeal petition of the appellant with reference to the records, and have observed that since the issue relates to disobedience, that too temporary, and he joined the posting at MSTL, Kadapa, and keeping in view the fact that he is retiring next year. Therefore Government decided to take a lenient view and the appellant may be let off with a "Censure", further he shall not be posted in any focal post or in Kurnool District till he retires, in view of the Anti Corruption Bureau trap case.

6. Accordingly, Government hereby reduced the penalty of three annual grade increments without cumulative effect imposed by Commissioner & Director of Agriculture, Hyderabad to that of "Censure" against Sri R.Sada Siva Rao, Agriculture Officer, MSTL., Kadapa district. The appeal petition is accordingly partly allowed.

7. The Commissioner & Director of Agriculture, Hyderabad shall take necessary action in the matter. The original records received in the reference 5th read above are returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**RACHEL CHATTERJEE
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To
Sri R.Sada Siva Rao, A.O., MSTL., Kadapa district
(through C&DA., Hyderabad.)

Copy to:

The Commissioner & Director of Agriculture,
A.P. Hyderabad.
Sf/Sc.

// FORWARDED BY ORDER //

SECTION OFFICER